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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

PROGRESSIVE CASUALTY  
INSURANCE COMPANY

Plaintiff,

v.

FEDERAL DEPOSIT INSURANCE  
CORPORATION, AS RECEIVER OF  
SILVER STATE BANK; COREY L.  
JOHNSON; DOUGLAS E. FRENCH;  
GARY A. GARDNER; and TIMOTHY S.  
KIRBY

Defendants.

Case No. 2:12-cv-00665-KJD-PAL

**JOINT STIPULATION REGARDING  
FEDERAL DEPOSIT INSURANCE  
CORPORATION, AS RECEIVER OF  
SILVER STATE BANK'S MOTION TO  
ENFORCE THIS COURT'S  
DISCOVERY ORDER, AGREED ESI  
PROTOCOL, AND COMPEL THE  
PRODUCTION OF DOCUMENTS**

On February 13, 2014, Defendant Federal Deposit Insurance Corporation, as Receiver of Silver State Bank ("FDIC-R"), filed a Motion to Enforce This Court's Discovery Order, Agreed ESI Protocol, and Compel the Production of Documents (Docket Entry ("DE") 134).

1 Progressive's response to the motion is due by January 30, 2014, and the FDIC-R's reply  
2 brief is due by February 2, 2014. At the request of Progressive and the FDIC-R, the Court  
3 scheduled the motion for a hearing on February 3, 2014 at 10:00 a.m. This is immediately  
4 following a status conference scheduled for 9:30 a.m. on that same date in the matter  
5 captioned *Progressive Casualty Insurance Company v. Delaney, et al.*, No. 2:11-cv-00678-  
6 LRH-PAL (D. Nev.) ("Sun West").

7 Contemporaneously herewith, Progressive and the FDIC as Receiver for Sun West  
8 Bank ("FDIC-SW") are filing a Joint Status Report Regarding ESI in which they request that  
9 the Court continue the status conference in the Sun West action until February 24 or 25, 2014  
10 or as soon thereafter as is convenient for the Court. Therefore, Progressive and the FDIC-R  
11 respectfully request that the Court continue the hearing on the FDIC-R's motion to the same  
12 date as the status conference in Sun West and to a time immediately following that  
13 conference, assuming, of course, that the Court is amenable to the continuance Progressive  
14 and the FDIC-SW request in Sun West.

15 Assuming the hearing on the FDIC-R's motion is continued, Progressive and the  
16 FDIC-R further stipulate and agree that the FDIC-R's reply in support of its motion will be  
17 due by February 10, 2014 pursuant to the Federal Rules of Civil Procedure and Local Rule  
18 7-2(c). The other parties to this action do not object the continuance of the hearing on the  
19 FDIC-R's motion or to the extension of time for the FDIC-R to file a reply in support of its  
20 motion.

Respectfully submitted this 29th day of January, 2014 by

/s/ Brian E. Holthus

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**IT IS SO ORDERED**

**IT IS FURTHER ORDERED** that the hearing is rescheduled for February 25, 2014, at 11:00 a.m., in Courtroom 3B.

Dated: January 29, 2014



**United States Magistrate Judge**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on this 29th day of January, 2014, I caused a copy of the foregoing Joint Stipulation Regarding Federal Deposit Insurance Corporation as Receiver of Silver State Bank's Motion to Enforce This Court's Discovery Order, Agreed ESI Protocol, and Compel the Production of Documents to be electronically served upon all attorneys of record in this action.

